

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN LEE FOSTER,  
Plaintiff,

v.

GAVIN NEWSOME,  
Defendant.

No. 2:23-cv-02896-KJM-CKD

ORDER AND FINDINGS AND  
RECOMMENDATIONS

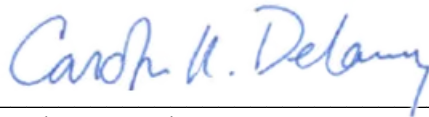
By an order filed May 21, 2024, plaintiff was ordered to file a completed in forma pauperis affidavit and a certified copy of his prison trust account statement, and was cautioned that failure to do so would result in a recommendation that this action be dismissed. The thirty day period has now expired, and plaintiff has not responded to the court's order and has not filed the required documents.

In accordance with the above, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that

1 failure to file objections within the specified time may waive the right to appeal the District  
2 Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

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4 Dated: July 8, 2024

  
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Carolyn K. Delaney  
United States Magistrate Judge

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